

DECISION OF DETERMINATION HEARING

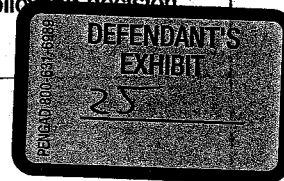
(Personnel Form 155)

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Employee Name	Employee SSN	Department
Mary Beth Brackin	[REDACTED]	Judicial
Employee Job Title	Date of Determination Hearing	
Magistrate	04/22/2004	

Statement of Department Head's Decision

You are hereby notified that after the due process determination hearing and consideration of the charges and possible violations of Personnel Rules and/or the Civil Service Act of Dothan, as amended, I have made the following decision concerning disciplinary action: (State the decision in the space below)



Effective Monday, April 26, 2004, you are suspended for ten (10) working days without pay. You may return to work on Monday, May 10, 2004.

Furthermore, you are hereby advised that if you are dissatisfied with this decision to discipline, you have available to you the procedures for review and/or appeal as provided by the Civil Service Act of Dothan, as amended, and the Personnel Rules and Regulations.

Signature of Department Head	Date Signed
<i>[Signature]</i>	04.23.04

Employee Certification of Receipt of Department Head's Decision and Employee Notice of Appeal Right

I hereby certify I have received a copy of this decision to discipline from my department head or his/her designated representative. I understand that should I wish to appeal my department head's disciplinary decision I must file a written notice with my department head and the Personnel Board within the time period specified in the Personnel Rules and Regulations, Section 3-50, Appeal of Disciplinary Action. Personnel Form #152 – City of Dothan Appeal Form may be used to initiate an appeal of disciplinary action.

Employee's Signature	Date Signed
<i>Mary Beth Brackin</i>	4-23-04

To be completed by person serving this notice to employee

Signature of person serving this notice	Date Notice Served	Time Notice Served
<i>[Signature]</i> 349	4/23/04	1550 hrs

Distribution: ☒ Original to Personnel ☐ Copy to Department Head ☐ Copy to Employee

DUE PROCESS INTERVIEW QUESTIONS TO BE ASKED PRIOR TO DETERMINATION HEARINGS

Employee Name Mary E. Brackin	Employee ID# 100382	Employee Department Judicial
Employee Job Title Magistrate	Hearing Time 1:30 p.m.	Date of Hearing April 22, 2004

INSTRUCTIONS: With the tape recorder on and recording, the following questions are to be asked directly of the employee for whom the determination hearing is being held. These questions are to be asked prior to proceeding with the hearing.

YES	NO	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1. Do you acknowledge that you were notified at least 24 hours in advance of this determination hearing?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	2. Do you have any specific questions regarding this procedure?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	3. Do you understand this is not an adversarial hearing? This means there is no cross examination of witnesses or calling of witnesses to testify?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	4. Do you understand that you do not have to reply to these charges?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	5. Do you understand you have the right to reply orally and/or in writing to these charges?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	6. Do you understand you have had a reasonable opportunity within the past 24 hours to reply in writing or submit sworn affidavits in reply to the charges if you so elected?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	7. Do you have a written statement or sworn affidavits you wish to submit in response to the charges?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	8. Do you have any reason at this time why this hearing should not proceed?

☐ The employee failed to appear for this determination hearing on the date and at the time scheduled.

☒ The employee was present and responded as shown to the above questions.

Signature of Personnel Department Staff: *Ann S. Taylor*

In the space below or on the back of this form, list the name(s), title(s) and reason(s) for the presence of all others present during this hearing.

Judge Rose Gordon, Nancy Martin, Municipal Court Administrator, and Fran Bailey, impartial observer

Tape No. *2004-03*

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DOTHAN/Martin & Brackin 0910
Confidential Subject to Protective Order